

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
BIG STONE GAP DIVISION**

For the reasons stated in the opinion accompanying this final judgment, it is

ADJUDGED AND ORDERED as follows:

1. The objections to the magistrate judge's report and recommendations are **overruled**;
2. The magistrate judge's report and recommendations are **accepted**;
3. The motion for summary judgment by the Commissioner of Social Security ("Commissioner") is **granted**;
4. The final decision of the Commissioner is **affirmed**; and
5. The clerk is directed to close the case.

ENTER: June 18, 2008

/s/ JAMES P. JONES
Chief United States District Judge